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C O N F I D E N T I A L SECTION 01 OF 03 ASHGABAT 000416

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SUBJECT: TURKMENISTAN: A TALE OF TWO NON-REGISTERED NGOS

Classified By: Deputy Chief of Mission Sylvia Reed Curran.
Reasons 1.4 (b) and (d)

11. (C) SUMMARY: In Turkmenistan, a civic organization is required to register with the Ministry of Justice ("MOJ") in order to operate legally. In 2008, one independent, non-government-affiliated civic organization was registered, the first since 2005. Despite these restrictive legal conditions, some citizen groups that address specific social issues continue to function, with varying degrees of success.

The experiences of two groups, one that works with young people, the other with retirees, illustrate the challenges and constraints that civic groups face as they seek to function in compliance with the law. For an organization with an accessible target group and adequate logistical support, operating as an "economic organization" can actually minimize the amount of government oversight and interference.

On the other hand, for a group who's activities involve public outreach and large events, the lack of registration hampers its ability to function. Still, as groups' efforts to register remain stalled, some groups look for alternatives that will allow them to carry out their work.
END SUMMARY.

YOUTH GROUP OPERATES AS "ECONOMIC ORGANIZATION"

12. (C) On March 31, poloff met with Irina Izyumova, the director of the Resource Information Center within the Lachin Sport Club ("LRIC"). The LRIC operates in a room in the basement of a school, with the rest of the vast basement area occupied by the martial arts club's training facilities. Izyumova explained that the group was founded in 1998 and, prior to 2003, functioned independently under the name "Women's Issues," focusing on providing seminars on life skills for teenage girls. In 2003, the new Law on Public Organizations made it necessary for the group to register with the MOJ. Izyumova said the group did not pursue registration because of the cost. Each time a document was submitted, there was a USD 100 filing fee. Registered NGOs are required to submit semi-annual reports to the MOJ and to obtain approval for their activities. She said the MOJ would question the need for their activities and perhaps suggest it would be better not to do them (e.g., AIDS education). There would also be a lot of paperwork, including the need to submit updated membership lists. Instead, the group was

invited by the head of the Lachin Sport Club to operate under its roof. The sport club holds the status of an economic ("khozyaystvennaya") organization. As such, its only interaction with the government is with the Tax Inspectorate, but since the sport club operates on a non-profit basis, the burden is minimal. However, in accepting an Embassy Democracy Commission grant, according to the law, LRIC needed to obtain permission to receive a foreign contribution from the Registration Chamber at the Ministry of Economy and Development. In addition to the cost of required translation of documents and stamps on each page, there was a lot of bureaucratic delay and ultimately the risk of refusal. It took the LRIC six months and the personal intervention by the sport club's director in order to obtain registration for the Embassy grant.

13. (C) The LIRC works to promote a healthy lifestyle among children and young people. It conducts seminars for children and young people on life skills. During the summer the group organizes "camps" at the center, which include field trips to places of interest. Izyumova said the LRIC is the only organization in Ashgabat carrying out such training. All the activities are provided free-of-charge to children whose families could not otherwise afford them. In addition to drawing on the sport club's 120-member base, the LIRC posts announcements about activities in area schools. For a one-time "action" such as a children's camp, there is no requirement to obtain a license or inform anyone in the government since it is not an ongoing activity. The LIRC also produces up to 500 copies of brochures and handouts on a

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range of topics such as basic first aid, tips when children are home alone, hazardous chemicals, proper etiquette, and dangers of alcohol. According to the Law on Printing and other Mass Media, no approval is required for printing 500 or fewer copies.

NO GOVERNMENT SUPPORT FOR THE GROUP'S ACTIVITIES

14. (C) Izyumova said the government is completely uninterested in their work. It allows them to do it, but provides them with no support. Government employees are prohibited from working with civic organizations. She referred to a "Central Asian mentality" that it is better not to get involved, so many teachers and school administrators turn down the LRIC's offers of literature and seminars. The only exception is the Ministry of Health-operated health center, which works with them in distributing information about AIDS. She said even UNICEF does not work with non-government organizations, only with the government. Overall, Izyumova thought it is convenient and comfortable for the LIRC to operate as it does now, although if there was no requirement to register foreign grants, it would be better.

PENSIONERS' GROUP REJECTED TWICE FOR REGISTRATION

15. (C) On April 1, poloff met with members of the pensioners' group "Arma Club," which has existed since 1999 and organizes activities and seminars on issues of interest to the elderly. Its first application for registration was denied in 1999 without explanation, but the group continued to function openly without registration until the 2003 Law on Public Organizations. At that time, they were told they had to stop operating as long as they were not registered. The group applied for registration again in 2004, but was rejected, this time with a list of nine deficiencies. According to the group's director Irina Adamova, they were told there is no need for their group, and it was recommended that they work with the Veterans' Union, but the Union was not interested. As a result, Arma operates as an economic group and its only contact with the government is its license for individual commercial activities obtained from the Tax Inspectorate and registration of grants from foreign donors. The group avoids doing activities that require a license since ministries give licenses only to registered organizations. The list of

licensed activities is included in the Law on Licensing Certain Types of Activities and includes, for example, providing consultations. As a result, Arma is careful to characterize the advice it gives to pensioners in a way the does not refer to consultations.

"SHOT DOWN LIKE DUCKS IN FLIGHT"

16. (C) Prior to 2003, Arma was located in space provided by the Red Crescent Society. According to Adamova, the group carried out an active agenda of meetings, excursions, volunteer work and seminars. When the new Public Organizations Law came into effect, the group was evicted by the Red Crescent Society and was unable to find any partner to provide a roof. Arma's current space is located in the basement of an apartment building in a suite rented by a commercial film company. The director of the company is a former colleague of Adamova's and provides the modest space as a favor. The group conducts seminars on aspects of laws that affect pensioners, on how to start a small business, on how to prepare for retirement, how to care for grandchildren, etc. It also produces brochures on subjects of interest to the elderly. Seminars are conducted on a monthly basis. Since 2003, Arma has not been able to conduct public gatherings such as its weekly Sunday meetings that served as an important social activity and recruiting tool. Membership has declined as a result. After describing the range of activities the the group was involved in prior to 2003, ranging from exercise classes for seniors, publication of volumes of poetry and support drives for orphans, Adamova lamented that the government had "shot them down like ducks

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just when they had started to fly." She suggested that the group might try to find a registered group that would allow them to go under its roof.

17. (C) COMMENT: In the case of the LIRC, with a target audience of children well within reach and the generous logistical support of the sport club, the group seems able to function without significant hindrance. In fact, it seems to have less oversight as an economic organization than it would if it was registered and subject to the MOJ's bureaucratic reporting requirements and approvals. On the other hand, lacking registration, the pensioners' group has been unable to carry out activities such as consultations on pensioners' issues and large social gatherings, and the accompanying publicity, that lie at its core. Arma has not re-applied for registration since 2004. Although its failure to re-apply and continue to push the process means it's currently out of the running, the fact that only one independent NGO, a gardening association, has been registered since 2005, combined with the run-around being given to other groups with pending applications, suggests that in practical terms they haven't missed out. Until there is a break in the government's registration logjam, the pensioners might be best served by finding a partner organization that would heighten their profile and give them more options for organizing activities, if such a partner exists. END COMMENT.
MILES